

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

JOSE DAVID FIGUEROA-GONZALEZ, et al.

Plaintiffs

v.

**Civil No. 02-1760(SEC)**

MIGUEL PEREIRA, et al.

Defendants

**ORDER**

<b>MOTION</b>	<b>RULING</b>
<b>Docket # 76</b> <b>Motion Requesting To</b> <b>Set Aside Judgment</b>  <b>Docket # 79</b> <b>Second Motion</b> <b>Requesting to Set Aside</b> <b>Judgment</b>  <b>Docket # 80</b> <b>Third Urgent Motion</b> <b>Requesting to Set Aside</b> <b>Judgment</b>	<p><b>DENIED.</b> On June 20, 2005, after Plaintiffs' continuous disregard of the Court's orders, many warnings, and wasted opportunities, the Court entered Judgment dismissing Plaintiffs' claims with prejudice for failure to prosecute (Docket # 75). From this, Plaintiffs' seek reconsideration (Dockets ## 76, 79 &amp; 80) and Defendants have opposed (Docket # 78). We <b>DENY</b>.</p> <p>The Court will not repeat its reasons for dismissal as the record speaks for itself and its June 20 Judgment already carefully recounts the Court's repeated warnings and Plaintiffs' apparent disinterest in the effective resolution of its claims. "It is well settled law that a party flouts a court order at his peril." <u>Torres-Vargas v. Pereira</u>, 431 F.3d 389, 391 (1<sup>st</sup> Cir. 2005) (citation omitted). Plaintiffs' eleventh-hour excuses in their motions for reconsideration cannot make up for the fact that they repeatedly disregarded the Court's orders and misrepresented their settlement efforts to the Court. Accordingly, Plaintiffs' motions are <b>DENIED</b>.</p>
<b>Docket # 77</b> <b>Informative Motion</b> <b>Regarding Settlement</b>	<p><b>MOOT.</b></p>

DATE: January 26, 2006

S/ *Salvador E. Casellas*  
SALVADOR E. CASELLAS  
U.S. Senior District Judge